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COMMITTEE ON THE RIGHTS OF THE CHILD

Nineteenth session

SUMMARY RECORD (PARTIAL)* OF THE 500th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 6 October 1998, at 3 p.m.

Chairperson: Miss MASON

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* No summary record was prepared for the remainder of the meeting (closed).

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GE.98-18581 (E)

The meeting was called to order at 3.05 p.m.

COOPERATION WITH OTHER UNITED NATIONS BODIES, SPECIALIZED AGENCIES AND OTHER COMPETENT BODIES (agenda item 6)

1. Mrs. MILLER (UNICEF) said that several documents on recent UNICEF activities were available to the members of the Committee. One of the documents contained the Medium-term plan for the period 1998-2001, which had been adopted some three weeks previously by the Executive Board. The plan laid down the strategies to be implemented in the priority areas of children's rights and emphasized the importance of gathering statistical data. The report on the situation of children in the world would be published in December, focusing on education as a right of children. At the UNICEF operational level, a new Child Protection Section had been created within the Programme Division of the New York Headquarters to deal with such issues as disabled children, children who worked, children affected by armed conflicts and children subjected to sexual exploitation.

2. A leaflet entitled "The Progress of Nations" had been published in July 1998, which included an article on birth registration. Another publication entitled "UNICEF and Humanitarian Crises" provided an insight into operational strategies and programmes in the humanitarian aid sphere. Following the United Nations Conference on the Establishment of an International Criminal Court, which had been held in Rome, UNICEF had adopted a text which outlined its position, emphasizing matters relating to children that required particular attention. UNICEF had also recently published a "Living Guide" containing a compilation of general measures adopted by States to implement the Convention on the Rights of the Child. In that connection a questionnaire had been sent to all local UNICEF representatives and to NGOs.

3. Mr. NEWELL (UNICEF) said that the "Living Guide" presented so-called "positive models", which were detailed outlines of specific experiences that had proved successful in various countries (for instance, in connection with the reform of legislation relating to children or the participation of civil society in the implementation of the Convention) and which might be emulated by other States. The models were also accessible on the UNICEF Website. Proposals and suggestions from NGOs and bodies such as the Committee on the Rights of the Child would be welcome.

4. Mr. CAPPELAERE (UNICEF) introduced a UNICEF initiative, planned for 1999, which concerned one of the most innovative aspects of the Convention, namely where it concerned the participation of children in proceedings which affected them, under article 12 of the Convention. In combination with article 44 of the Convention, article 12 in effect required States parties to take into account the views of children in drawing up their reports to the Committee. Although some States made an effort to involve children in the process, the majority neglected to do so. Consequently, UNICEF intended to concentrate on promoting the participation of children in the reporting process, both by raising awareness of children's views and by providing children with the means to express them. Adults should also develop

appropriate skills to achieve a better understanding of children. The broad outlines of the project were presented in the document entitled "What do you think? Children reporting on children's rights".

5. The UNICEF project would involve 10 pilot countries, some of which were to submit their report to the Committee during the autumn 1999 session. The project would be carried out over a period of 10 months, from January to October 1999. It would initially be developed at the national level: with the assistance of UNICEF and NGOs, children would take part in proceedings, in the course of which they could be given the opportunity to express their views. The problems and obstacles encountered, together with the successes achieved, would be compiled and broadly disseminated, in order to permit all States to draw inspiration from the experience. It was envisaged that 3 children from each of the 10 pilot countries would visit Geneva on the occasion of the Committee's autumn 1999 session. The children would thus be able to report on their experience themselves and meet with the members of the Committee. In the light of the project, the Committee could perhaps choose the question of the participation of children as the topic of its next general discussion day.

6. The CHAIRPERSON requested further information on how the 30 children (3 from each of the 10 pilot countries) would be selected in their own countries and how they would be looked after during their stay in Geneva.

7. Mr. CAPPELAERE (UNICEF) said that the children who came to Geneva would speak on behalf of all the children who, in their own countries, had been consulted and had joined in discussions on the drafting of the report. In December 1998, in order to ensure that children's participation was as broad and representative as possible at the national level, UNICEF would be holding a meeting of the representatives of the 10 pilot countries and NGOs, and would invite States to select children in accordance with specific criteria of representativeness. UNICEF did not want the project to be purely symbolic. It was to constitute a real first step towards either initiating or strengthening the process of children's participation. The children would be taken from different cultural and social backgrounds and, while in Geneva, would be cared for by adults. It would be interesting first to hear what the children thought about the difficulties and obstacles they had encountered in trying to express their views and be listened to, and then to share the experience with other countries.

8. Mrs. KARP said she welcomed the UNICEF project on children's participation. However, it was one thing to create a platform for children to express their views and another to create the mechanisms for setting up networks. The networking programme launched in Nepal by UNICEF might serve as an example in that respect. It might be useful to assess and publicize the Nepal programme so that other States could benefit.

9. Mrs. MBOI said that the topic of children's participation could certainly be adopted as the subject of the Committee's next general discussion day in October 1999. With regard to the 30 children who would come to Geneva, she recommended that they should be selected on the basis of criteria which would ensure a balanced gender representation and an adequate representation

both of children in special need of protection (such as children living in a situation of armed conflict or child prostitutes) and of children subject to some form of discrimination (based on ethnic origin, for example).

10. Mrs. MILLER (UNICEF) said that the prime objective of the project in Nepal was to compile information collected during the course of its implementation for the benefit of other countries. The project also aimed to create or strengthen networks through which young people could meet to discuss and exchange ideas. The objective of the project was, in addition, to develop those networks and to extend them in such a way as to make them accessible, especially to the most disadvantaged children. The countries themselves would be selecting the children coming to Geneva on the basis of criteria ensuring adequate representativeness in terms of social and geographical origin and gender. UNICEF welcomed the Committee's cooperation and would keep it informed of the project's development.

11. Mrs. LANSDOWN (Children's Rights Office, United Kingdom), referring to the decision to set up a working group taken at the outcome of the Committee's general discussion day on the rights of disabled children in 1997, said that, after obtaining funding from the British Foreign and Commonwealth Office and from the European Commission, members of the NGO she represented had met to organize the working group. A coordinator was being appointed to take charge of administrative matters and research activities. The United Nations Special Rapporteur on Disability had agreed to chair the working group, which would be composed of two members of the Committee on the Rights of the Child, one member of the NGO International Save the Children Alliance and four representatives of international organizations working with disabled children. The participation of other interested United Nations specialized agencies or international bodies was encouraged. The working group would be responsible for following up on recommendations made during the general discussion day on the rights of disabled children and for compiling examples of good practice, in particular in the areas of the social integration of children and their participation in the decision-making process. It would also seek to draw attention to violations of disabled children's rights and ensure that the matter was placed on the agenda of international bodies such as the World Bank and IMF. The working group would meet for the first time in 1999.

12. Mrs. SAID (NGO Group for the Convention on the Rights of the Child) said that the Group she represented had revised its guide for non-governmental organizations drawing up reports for the Committee on the Rights of the Child. The document reproduced the Committee's own guidelines, but added a more general introduction to drafting reports.

13. Mrs. MBOI asked whether NGOs working at the national level were required to submit their reports to the Committee through the NGO Group for the Convention on the Rights of the Child.

14. Mrs. SAID (NGO Group for the Convention on the Rights of the Child) said that, as a general rule, NGOs pooled the data used for reports submitted to the Committee, which made for fewer, more comprehensive reports and facilitated the Committee's work. Technical assistance was also provided to NGOs who requested it.

15. Mrs. N'GORI ADA (Office of the United Nations High Commissioner for Refugees), in her review of HCR activities in the area of children's rights, mentioned the structural and political changes that had occurred within the organization, which currently had four regional advisers dealing with refugee children: one for Asia, two for Africa and one for Europe. She also mentioned the training given to HCR officials on the subject of the protection of children, with an emphasis on refugee children, which included references to the Convention's principles. At the Committee's request, HCR had drawn up comments on the draft optional protocols to the Convention related to the sale of children and to the involvement of children in armed conflicts. With regard to education activities, HCR had financed the primary and secondary education of 700,000 refugee children in Africa and Asia. She was however concerned by HCR's current lack of funding, which jeopardized the continuation of the programme, and she appealed for the support of other organizations. As part of the follow-up to the Machel study on the impact of armed conflict on children, HCR was trying to raise the awareness of the population living in the countryside and of civil society in general regarding HCR standards for the treatment of refugee children, with a view to facilitating their social integration. HCR was seeking ways of teaching tolerance, particularly regarding ethnic origin, in the context of programmes of education for peace. Projects were also under way to combat the sexual exploitation of women and children, especially in Kenya, where large numbers of women living in the refugee camps had been raped.

16. Mrs. PALME said that education was very important, particularly in settling conflicts. She requested information on organizations involved in projects concerned with education and the consolidation of peace, and on how they might be assisted.

17. Replying to Mrs. Palme, Mrs. N'GORI ADA (HCR) said that HCR had initiated two pilot projects, one in Kenya to support Somalian refugees and the other involving Liberian refugees. Another project, which had been developed in collaboration with UNESCO, was about to be launched in the former Yugoslavia. UNICEF was also active in that sphere. In view of the importance of education for refugee children, she invited other partners, and in particular NGOs, to join in the struggle.

18. Mrs. TEBOURBI (Office of the United Nations High Commissioner for Human Rights) said that the Working Group responsible for elaborating guidelines for a possible draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography had held its fourth session in January 1998. The members of the Working Group had not yet reached agreement on the questions of the definition and the penalization of child prostitution and child pornography. Some considered that the definition should be confined to the sale of children for purposes of sexual exploitation, while others thought that it should include other aspects, such as child labour. Although no decision had yet been taken in that respect, the members of the Working Group all agreed on the fact that child prostitution and child pornography should be penalized. The text of the draft protocol was expected to be ready for the following session or the

session thereafter. Referring to the activities of the Working Group on Contemporary Forms of Slavery, she said it dealt with issues that included trafficking in human beings and children, child labour and the sexual cruelty against children, all areas where it needed to strengthen its links and cooperation with the Committee on the Rights of the Child. The Office of the High Commissioner for Human Rights had decided to give priority to the question of the traffic in women and children. It had prepared a draft on the subject in order to draw the attention of Governments to the subject, with the intention eventually of transferring responsibility to an inter-agency task force (ILO/IPEC, IMO, UNICEF, etc.). The fact that women and children were included under a single heading did not mean that the traffic in women and traffic in children gave rise to similar problems, but merely that women and children were both vulnerable groups. The United Nations Special Rapporteur on the sale of children, child prostitution and child pornography had decided to devote her next report to the issue of the traffic in children. The Working Group on Contemporary Forms of Slavery had also decided to devote its next session to the traffic in women and children. Many NGOs were examining the subject and intended to organize a seminar, the conclusions of which might be very useful to the Committee.

19. The CHAIRPERSON reported to the members of the Committee on the tenth Meeting of the Persons Chairing the Human Rights Treaty Bodies, which had taken place on 14 to 18 September 1998 in Geneva. The participants had discussed the composition of treaty bodies and the imbalance in geographical and gender representation. Closer cooperation between the Committee on the Elimination of Racial Discrimination and the Sub-Commission on Prevention of Discrimination and Protection of Minorities had been encouraged. The participants had also emphasized the importance of the work of the various special rapporteurs and representatives and the need to improve communication between the various human rights mechanisms in the United Nations system. In that connection, they considered that the next meeting of Persons Chairing the Human Rights Treaty Bodies should coincide with the next meeting of the Special Rapporteurs. UNESCO, which had participated in the meeting, had spoken of the appointment of a new special rapporteur on education, while cooperation and interaction with a number of specialized institutions such as the World Bank and the IMF had been highlighted. During the course of the meeting, UNDP had announced that it intended to enhance its cooperation with the Committee on Economic, Social and Cultural Rights. A memorandum of understanding had also been signed between UNDP and the Office of the High Commissioner. In addition, the participants had discussed the universal ratification of international instruments and a programme of technical meetings had been proposed to improve the work of the treaty bodies. Thought had also been given to the possibility of changing the venue of some of the meetings in order to raise their profile. Other matters discussed during the meeting had included gender differences in the work of the various bodies, reservations to international human rights instruments, plans of action involving the different bodies and the concept of "small States".

20. Mrs. MBOI was surprised that the persons chairing treaty bodies had not discussed staff matters. She also wished to know whether the guidelines on gender perspective drawn up by International Women's Rights Action Watch might be useful to the treaty bodies in general and to the Committee on the Rights of the Child in particular.

21. The CHAIRPERSON said that the matter of equal gender representation did not seem to be a problem in the Committee on the Rights of the Child. Delays in the submission of reports were frequently due to the methods used by each treaty body. The meeting had emphasized the need to give staff working for treaty bodies solid training in the preparation of documents. Lastly, the chairpersons had on several occasions requested additional resources from the Office of the High Commissioner for Human Rights, but so far without success.

The part of the meeting covered in the summary record ended at 4.40 p.m.